



# City of Carmel

## **Carmel Advisory Board of Zoning Appeals Regular Meeting Monday, March 22, 2004**

The regularly scheduled meeting was held at 7:00 PM in the Council Chambers of Carmel City Hall on March 22, 2004. Those members in attendance: Leo Dierckman, James Hawkins, Earlene Plavchak, Madeleine Torres, and Charles Weinkauff, thereby establishing a quorum. Department of Community Services Staff in attendance: Director Mike Hollibaugh and Planning Administrators Jon Dobosiewicz and Angie Butler. John Molitor, Legal Counsel, was also present.

Mr. Dierckman moved to approve the minutes as submitted from the February 23, 2004 meeting. The motion was seconded by Mrs. Torres and **APPROVED 5-0.**

Mr. Dobosiewicz gave the Department Report. Items 3-7h and 9-14h have been tabled.

Mr. Molitor gave the Legal Report. He did not have information on any of the pending lawsuits. He had monitored legislation in the General Assembly and there was nothing that was passed this year that would affect the functions of this Board.

### **H. Public Hearing.**

#### **1h. (#04020012 V) Chateaux de Moulin Subdivision**

The applicant seeks approval of a development standards variance:

***Docket No. 04020012 V*** Ch.6.04.03.A front yard setback

The site is located West of Spring Mill Rd and West 116th St.

The site is zoned S-2/Residence-Very Low Density.

Filed by Joseph Calderon of Ice Miller for Campbell Investments 2, LLC.

Present for the Petitioner: Joe Calderon, Ice Miller, One American Square, Indianapolis.

This ten-acre site is located on the south side of 116<sup>th</sup> Street, just west of Spring Mill Road. The parcel is zoned S-2 and has received Plan Commission approval for six lots. Due to arrangement of the parcel with adjoining neighbors and the configuration of the street, it became apparent that some of the lots were not conducive to the traditional 35-foot front yard setback. There will be no impact on any of the adjoining neighbors.

Members of the public were invited to speak in favor or opposition to the petition; no one appeared.

Mr. Dobosiewicz gave the Department Report. The Department is recommending favorable consideration. Most of the platted subdivisions in the last three years have operated under the Open

Space requirements with twenty-five feet setbacks, some closer, depending on garage orientation. The additional ten feet allows some flexibility on custom homes.

Mr. Dierckman moved to approve **04020012 V, Chateaux de Moulin Subdivision**. Mrs. Torres seconded the motion. The Public Hearing was closed. The motion was **APPROVED 5-0**.

**2h. (#04020013 V) Crooked Stick Golf Course -Clubhouse**

The applicant seeks approval of a development standards variance:

**Docket No. 04020013 V** Ch.27.03.02 parking lot curbing

The site is located northwest of Ditch Road and West 116th Street.

The site is zoned P-1/ Parks and Recreation.

Filed by David Warshauer of Barnes & Thornburg for Crooked Stick Golf Club, Inc.

Present for the Petitioner: David Warshauer, Barnes & Thornburg, 11 S. Meridian Street, Indianapolis.

A new clubhouse building will be constructed on about the same location as the existing clubhouse and used for the same purposes. The existing parking lot has room for 108 cars. When the parking lot was originally constructed, it conformed to the parking requirements, which did not require curbing.

Without the variance, Crooked Stick would need to take up the existing parking lot and build a new one with sub-surface drains, to meet the newer requirements. Installing curbing would interfere with the existing across-the-parking-lot drainage. The Urban Forester, Scott Brewer, has approved the tree preservation plan and the perimeter-landscaping plan. These plans will preserve a large number of mature trees in the clubhouse area. Only one homeowner abuts the parking lot and he has submitted a letter in support of the variance and screening.

Members of the public were invited to speak in favor or opposition to the petition; no one appeared.

Mr. Dobosiewicz gave the Department Report. The Department recommends favorable consideration.

Mrs. Plavchak asked about the facilities during construction.

Mr. Warshauer stated there would be temporary trailers during construction for the members. Construction will begin in July this year and be done by May next year.

Mrs. Plavchak moved to approve **04020013 V, Crooked Stick Golf Course –Clubhouse**. Mr. Dierckman seconded the motion. The Public Hearing was closed. The motion was **APPROVED 5-0**.

**3-7h. TABLED (#04020014 V-04020018 V) Mike's Express Carwash**

~~The applicant seeks approval of the following development standards variances:~~

~~**Docket No. 04020014 V** Ch.25.07.02-08 Carmel Dr. ground sign height~~

~~**Docket No. 04020015 V** Ch.25.07.02-08 Range Line Rd. ground sign height~~

~~**Docket No. 04020016 V** Ch.25.07.05 number of menu signs~~

~~**Docket No. 04020017 V** Ch.25.07.05 menu sign on a non fast food property~~

~~**Docket No. 04020018 V** Ch.25.07.05 menu sign square footage~~

~~The site is located at 1250 S Range Line Rd. The site is zoned I-1/ Industrial.~~

~~Filed by Charlie Frankenger of Nelson & Frankenger.~~  
**8h. (#04020019 SU) Hamilton Crossing West, Bldg 1: Little Star School**

The applicant seeks special use approval of a preschool.

**Docket No. 04020019 SU** Ch.16.01 permitted uses

The site is located southwest of 131st Street and US Highway 31.

The site is zoned B-5/Business and is within the US 31 Overlay Zone.

Filed by Blair Carmosino of Duke Realty.

Present for the Petitioner: Blair Carmosino, Duke Realty, 600 E. 96<sup>th</sup> Street, Indianapolis.

This is a school, not necessarily a preschool. Site location was shown. The facility is approximately 104,000 square feet. The variance is applicable to only 5600 square feet of the facility for this tenant. Outside improvements will be made for a playground to accommodate the one-on-one child/instructor interaction. This school caters to autistic children. It is a behavioral therapy school. The hours of operation will not conflict with the existing office uses. This tenant has been a tenant of Duke's for two to three years in other facilities at Keystone at the Crossing. He distributed photos of the added playground area in a greater context to the surroundings.

Members of the public were invited to speak in favor or opposition to the petition; no one appeared.

Mr. Dobosiewicz gave the Department Report. He noted a sidewalk would also be added in the exterior improvements. From a use perspective and the type of activity that is conducted at the site, a preschool classification within the use table is the closest classification for the process for BZA review. The Department is recommending favorable consideration.

Mr. Weinkauff asked about the number of students and the age range.

Mr. Carmosino stated the facility could house up to fifteen students maximum. The current enrollment is seven children, ages three to seven. The facility is primarily for the younger children.

Mr. Dierckman moved to approve **04020019 SU, Hamilton Crossing West, Bldg 1: Little Star School**. Mrs. Torres seconded the motion. The Public Hearing was closed. The motion was **APPROVED 5-0**.

**9-14h. TABLED (#04020020 UV through #04020025 V) Main & Guilford Plaza**

The applicant seeks the following use variance approval:

~~**Docket No. 04020020 UV** Ch. 20G.05.04.A.4 permitted uses~~

The applicant also seeks approval of the following development standards variances:

~~**Docket No. 04020021 V** Ch.20G.05.04B(2)(a) front setback~~

~~**Docket No. 04020022 V** Ch.20G.05.04B(3)(a) building footprint~~

~~**Docket No. 04020023 V** Ch.20G.04.06 landscape requirements~~

~~**Docket No. 04020024 V** Ch.25.07.02-09 number of signs per tenant~~

~~**Docket No. 04020025 V** Ch.25.07.01-02 multi-level ground floor bldg~~

~~The site is located at the southwest corner of Main Street and Guilford Rd.~~

~~The site is zoned OM/MF Old Meridian District, Multi family Zone (pending OM/MU rezoning). Filed by Joseph Calderon of Ice Miller for Main & Guilford Plaza, LLC.~~

**I. Old Business.**

There was no Old Business.

**J. New Business.**

A BZA Board training session was scheduled for Thursday, April 22, 2004 at 11:30 AM for one and a half hours.

**K. Adjourn.**

Mr. Dierckman moved to adjourn. Mr. Hawkins seconded the motion and it was **APPROVED 5-0.**

The meeting was adjourned at 7:40 PM.

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Charles Weinkauff, President

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Connie Tingley, Secretary